

BEFORE THE
BOARD OF REGISTERED NURSING
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

PATRICIA ANN WILLIAMS
a.k.a. PATRICIA ROSS WILLIAMS
a.k.a. PATRICIA ANN ROSS
6633 Blanchard Ave
Fontana, CA 92336

Registered Nurse License No. **217001**

Respondent

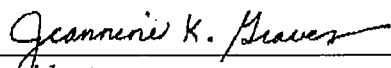
Case No. 2011-777

DECISION AND ORDER

The attached Stipulated Settlement and Disciplinary Order is hereby adopted by the Board of Registered Nursing, Department of Consumer Affairs, as its Decision in this matter.

This Decision shall become effective on **September 21 , 2011.**

IT IS SO ORDERED **August 22, 2011.**



President
Board of Registered Nursing
Department of Consumer Affairs
State of California

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
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8 **BEFORE THE**
BOARD OF REGISTERED NURSING
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

Case No. 2011-777

11 **PATRICIA ANN WILLIAMS, AKA**
12 **PATRICIA ROSS WILLIAMS, AKA**
13 **PATRICIA ANN ROSS**
6633 Blanchard Avenue
14 Fontana, CA 92336
Registered Nurse License No. 217001

**STIPULATED SETTLEMENT AND
DISCIPLINARY ORDER**

15 Respondent.

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings that the following matters are true:

19 **PARTIES**

20 1. Louise R. Bailey, M.Ed., RN (Complainant) is the Executive Officer of the Board of
21 Registered Nursing (Board). She brought this action solely in her official capacity and is
22 represented in this matter by Kamala D. Harris, Attorney General of the State of California, by
23 Linda L. Sun, Deputy Attorney General.

24 2. Respondent Patricia Ann Williams, aka Patricia Ross Williams, aka Patricia Ann
25 Ross (Respondent) is representing herself in this proceeding and has chosen not to exercise her
26 right to be represented by counsel.
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3. On or about July 31, 1971, the Board issued Registered Nurse License No. 217001 to Respondent. The Registered Nurse License was in full force and effect at all times relevant to the charges brought in Accusation No. 2011-777 and will expire on September 30, 2012, unless renewed.

JURISDICTION

4. Accusation No. 2011-777 was filed before the Board and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on March 16, 2011. Respondent timely filed her Notice of Defense contesting the Accusation. A copy of Accusation No. 2011-777 is attached as Exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

5. Respondent has carefully read, and understands the charges and allegations in Accusation No. 2011-777. Respondent has also carefully read, and understands the effects of this Stipulated Settlement and Disciplinary Order.

6. Respondent is fully aware of her legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to be represented by counsel at her own expense; the right to confront and cross-examine the witnesses against her; the right to present evidence and to testify on her own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

CULPABILITY

8. Respondent admits the truth of each and every charge and allegation in Accusation No. 2011-777.

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9. Respondent agrees that her Registered Nurse License is subject to discipline and she agrees to be bound by the Board's probationary terms as set forth in the Disciplinary Order below.

CONTINGENCY

10. This stipulation shall be subject to approval by the Board of Registered Nursing. Respondent understands and agrees that counsel for Complainant and the staff of the Board of Registered Nursing may communicate directly with the Board regarding this stipulation and settlement, without notice to or participation by Respondent. By signing the stipulation, Respondent understands and agrees that she may not withdraw her agreement or seek to rescind the stipulation prior to the time the Board considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order, the Stipulated Settlement and Disciplinary Order shall be of no force or effect, except for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board shall not be disqualified from further action by having considered this matter.

11. The parties understand and agree that facsimile copies of this Stipulated Settlement and Disciplinary Order, including facsimile signatures thereto, shall have the same force and effect as the originals.

12. This Stipulated Settlement and Disciplinary Order is intended by the parties to be an integrated writing representing the complete, final, and exclusive embodiment of their agreement. It supersedes any and all prior or contemporaneous agreements, understandings, discussions, negotiations, and commitments (written or oral). This Stipulated Settlement and Disciplinary Order may not be altered, amended, modified, supplemented, or otherwise changed except by a writing executed by an authorized representative of each of the parties.

13. In consideration of the foregoing admissions and stipulations, the parties agree that the Board may, without further notice or formal proceeding, issue and enter the following Disciplinary Order:

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Severability Clause. Each condition of probation contained herein is a separate and distinct condition. If any condition of this Order, or any application thereof, is declared unenforceable in whole, in part, or to any extent, the remainder of this Order, and all other applications thereof, shall not be affected. Each condition of this Order shall separately be valid and enforceable to the fullest extent permitted by law.

Criminal Court Orders: If Respondent is under criminal court orders, including probation or parole, and the order is violated, this shall be deemed a violation of these probation conditions, and may result in the filing of an accusation and/or petition to revoke probation.

Upon successful completion of probation, Respondent's license shall be fully restored.

3. **Report in Person.** Respondent, during the period of probation, shall appear in person at interviews/meetings as directed by the Board or its designated representatives.

1 4. **Residency, Practice, or Licensure Outside of State.** Periods of residency
2 or practice as a registered nurse outside of California shall not apply toward a reduction of this
3 probation time period. Respondent's probation is tolled, if and when she resides outside of
4 California. Respondent must provide written notice to the Board within 15 days of any change of
5 residency or practice outside the state, and within 30 days prior to re-establishing residency or
6 returning to practice in this state.

7 Respondent shall provide a list of all states and territories where she has ever been licensed
8 as a registered nurse, vocational nurse, or practical nurse. Respondent shall further provide
9 information regarding the status of each license and any changes in such license status during the
10 term of probation. Respondent shall inform the Board if she applies for or obtains a new nursing
11 license during the term of probation.

12 5. **Submit Written Reports.** Respondent, during the period of probation,
13 shall submit or cause to be submitted such written reports/declarations and verification of actions
14 under penalty of perjury, as required by the Board. These reports/declarations shall contain
15 statements relative to Respondent's compliance with all the conditions of the Board's Probation
16 Program. Respondent shall immediately execute all release of information forms as may be
17 required by the Board or its representatives.

18 Respondent shall provide a copy of this Decision to the nursing regulatory agency in every
19 state and territory in which she has a registered nurse license.

20 6. **Function as a Registered Nurse.** Respondent, during the period of
21 probation, shall engage in the practice of registered nursing in California for a minimum of 24
22 hours per week for 6 consecutive months or as determined by the Board.

23 For purposes of compliance with the section, "engage in the practice of registered nursing"
24 may include, when approved by the Board, volunteer work as a registered nurse, or work in any
25 non-direct patient care position that requires licensure as a registered nurse.

26 The Board may require that advanced practice nurses engage in advanced practice nursing
27 for a minimum of 24 hours per week for 6 consecutive months or as determined by the Board.
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1 If Respondent has not complied with this condition during the probationary term, and
2 Respondent has presented sufficient documentation of her good faith efforts to comply with this
3 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
4 extension of Respondent's probation period up to one year without further hearing in order to
5 comply with this condition. During the one year extension, all original conditions of probation
6 shall apply.

7 **7. Employment Approval and Reporting Requirements.** Respondent shall
8 obtain prior approval from the Board before commencing or continuing any employment, paid or
9 voluntary, as a registered nurse. Respondent shall cause to be submitted to the Board all
10 performance evaluations and other employment related reports as a registered nurse upon request
11 of the Board.

12 Respondent shall provide a copy of this Decision to her employer and immediate
13 supervisors prior to commencement of any nursing or other health care related employment.

14 In addition to the above, Respondent shall notify the Board in writing within seventy-two
15 (72) hours after she obtains any nursing or other health care related employment. Respondent
16 shall notify the Board in writing within seventy-two (72) hours after she is terminated or
17 separated, regardless of cause, from any nursing, or other health care related employment with a
18 full explanation of the circumstances surrounding the termination or separation.

19 **8. Supervision.** Respondent shall obtain prior approval from the Board
20 regarding Respondent's level of supervision and/or collaboration before commencing or
21 continuing any employment as a registered nurse, or education and training that includes patient
22 care.

23 Respondent shall practice only under the direct supervision of a registered nurse in good
24 standing (no current discipline) with the Board of Registered Nursing, unless alternative methods
25 of supervision and/or collaboration (e.g., with an advanced practice nurse or physician) are
26 approved.

27 Respondent's level of supervision and/or collaboration may include, but is not limited to the
28 following:

1 (a) Maximum - The individual providing supervision and/or collaboration is present in
2 the patient care area or in any other work setting at all times.

3 (b) Moderate - The individual providing supervision and/or collaboration is in the patient
4 care unit or in any other work setting at least half the hours Respondent works.

5 (c) Minimum - The individual providing supervision and/or collaboration has person-to-
6 person communication with Respondent at least twice during each shift worked.

7 (d) Home Health Care - If Respondent is approved to work in the home health care
8 setting, the individual providing supervision and/or collaboration shall have person-to-person
9 communication with Respondent as required by the Board each work day. Respondent shall
10 maintain telephone or other telecommunication contact with the individual providing supervision
11 and/or collaboration as required by the Board during each work day. The individual providing
12 supervision and/or collaboration shall conduct, as required by the Board, periodic, on-site visits to
13 patients' homes visited by Respondent with or without Respondent present.

14 9. **Employment Limitations.** Respondent shall not work for a nurse's
15 registry, in any private duty position as a registered nurse, a temporary nurse placement agency, a
16 traveling nurse, or for an in-house nursing pool.

17 Respondent shall not work for a licensed home health agency as a visiting nurse unless the
18 registered nursing supervision and other protections for home visits have been approved by the
19 Board. Respondent shall not work in any other registered nursing occupation where home visits
20 are required.

21 Respondent shall not work in any health care setting as a supervisor of registered nurses.
22 The Board may additionally restrict Respondent from supervising licensed vocational nurses
23 and/or unlicensed assistive personnel on a case-by-case basis.

24 Respondent shall not work as a faculty member in an approved school of nursing or as an
25 instructor in a Board approved continuing education program.

26 Respondent shall work only on a regularly assigned, identified and predetermined
27 worksite(s) and shall not work in a float capacity.

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1 If Respondent is working or intends to work in excess of 40 hours per week, the Board may
2 request documentation to determine whether there should be restrictions on the hours of work.

3 10. **Complete a Nursing Course(s).** Respondent, at her own expense, shall
4 enroll and successfully complete a course(s) relevant to the practice of registered nursing no later
5 than six months prior to the end of her probationary term.

6 Respondent shall obtain prior approval from the Board before enrolling in the course(s).
7 Respondent shall submit to the Board the original transcripts or certificates of completion for the
8 above required course(s). The Board shall return the original documents to Respondent after
9 photocopying them for its records.

10 11. **Cost Recovery.** Respondent shall pay to the Board costs associated with
11 its investigation and enforcement pursuant to Business and Professions Code section 125.3 in the
12 amount of eight hundred fifty-five dollars (\$855.00). Respondent shall be permitted to pay these
13 costs in a payment plan approved by the Board, with payments to be completed no later than three
14 months prior to the end of the probation term.

15 If Respondent has not complied with this condition during the probationary term, and
16 Respondent has presented sufficient documentation of her good faith efforts to comply with this
17 condition, and if no other conditions have been violated, the Board, in its discretion, may grant an
18 extension of Respondent's probation period up to one year without further hearing in order to
19 comply with this condition. During the one year extension, all original conditions of probation
20 will apply.

21 12. **Violation of Probation.** If Respondent violates the conditions of her
22 probation, the Board after giving Respondent notice and an opportunity to be heard, may set aside
23 the stay order and impose the stayed revocation of Respondent's license.

24 If during the period of probation, an accusation or petition to revoke probation has been
25 filed against Respondent's license or the Attorney General's Office has been requested to prepare
26 an accusation or petition to revoke probation against Respondent's license, the probationary
27 period shall automatically be extended and shall not expire until the accusation or petition has
28 been acted upon by the Board.

1 13. **License Surrender.** During Respondent's term of probation, if she ceases
2 practicing due to retirement, health reasons or is otherwise unable to satisfy the conditions of
3 probation, Respondent may surrender her license to the Board. The Board reserves the right to
4 evaluate Respondent's request and to exercise its discretion whether to grant the request, or to
5 take any other action deemed appropriate and reasonable under the circumstances, without further
6 hearing. Upon formal acceptance of the tendered license and wall certificate, Respondent will no
7 longer be subject to the conditions of probation.

8 Surrender of Respondent's license shall be considered a disciplinary action and shall
9 become a part of Respondent's license history with the Board. A registered nurse whose license
10 has been surrendered may petition the Board for reinstatement no sooner than the following
11 minimum periods from the effective date of the disciplinary decision:

12 (1) Two years for reinstatement of a license that was surrendered for any reason other
13 than a mental or physical illness; or

14 (2) One year for a license surrendered for a mental or physical illness.

15 14. **Physical Examination.** Within 45 days of the effective date of this
16 Decision, Respondent, at her expense, shall have a licensed physician, nurse practitioner, or
17 physician assistant, who is approved by the Board before the assessment is performed, submit an
18 assessment of the Respondent's physical condition and capability to perform the duties of a
19 registered nurse. Such an assessment shall be submitted in a format acceptable to the Board. If
20 medically determined, a recommended treatment program will be instituted and followed by the
21 Respondent with the physician, nurse practitioner, or physician assistant providing written reports
22 to the Board on forms provided by the Board.

23 If Respondent is determined to be unable to practice safely as a registered nurse, the
24 licensed physician, nurse practitioner, or physician assistant making this determination shall
25 immediately notify the Board and Respondent by telephone, and the Board shall request that the
26 Attorney General's Office prepare an accusation or petition to revoke probation. Respondent
27 shall immediately cease practice and shall not resume practice until notified by the Board.
28 During this period of suspension, Respondent shall not engage in any practice for which a license

1 issued by the Board is required until the Board has notified Respondent that a medical
2 determination permits Respondent to resume practice. This period of suspension will not apply to
3 the reduction of this probationary time period.

4 The Board may waive or postpone this suspension only if significant, documented
5 evidence of mitigation is provided. Such evidence must establish good faith efforts by
6 Respondent to obtain the assessment, and a specific date for compliance must be provided. Only
7 one such waiver or extension may be permitted.

8 15. **Mental Health Examination.** The Respondent shall, within 45 days of
9 the effective date of this decision, have a mental health examination including psychological
10 testing as appropriate to determine her capability to perform the duties of a registered nurse,
11 including a determination as set forth below in Condition 16, "Rule-Out Substance Abuse
12 Assessment." The examination will be performed by a psychiatrist, the psychologist or other
13 licensed mental health practitioner approved by the Board. The examining mental health
14 practitioner will submit a written report of that assessment and recommendations to the Board.
15 All costs are the responsibility of the respondent. Recommendations for treatment, therapy of
16 counseling made as a result of the mental health examination will be instituted and followed by
17 the respondent.

18 If Respondent is determined to be unable to practice safely as a registered nurse, the
19 licensed mental health care practitioner making this determination shall immediately notify the
20 Board and Respondent by telephone, and the Board shall request that the Attorney General's
21 Office prepare an accusation or petition to revoke probation. Respondent shall immediately cease
22 practice and may not resume practice unless until notified by the Board. During this period of
23 suspension, Respondent shall not engage in any practice for which a license issued by the Board
24 is required, until the Board has notified Respondent that a mental health determination permits
25 Respondent to resume practice. This period of suspension will not apply to the reduction of this
26 probationary time period.

27 If the Respondent fails to have the above assessment submitted to the Board within the
28 45-day requirement, Respondent shall immediately cease practice and shall not resume practice

1 until notified by the Board. This period of suspension will not apply to the reduction of this
2 probationary time period. The Board may waive or postpone this suspension only if significant,
3 documented evidence of mitigation is provided. Such evidence must establish good faith efforts
4 by the Respondent to obtain the assessment, and a specific date for compliance must be provided.
5 Only one such waiver or extension may be permitted.

6 **16. Rule-Out Substance Abuse Assessment.** If the examiner conducting the
7 physical and/or mental health examination determines that the Respondent is dependent upon
8 drugs or alcohol, or has had problems with drugs or alcohol (i.e. drug dependence in remission or
9 alcohol dependence in remission), that might reasonably affect the safe practice of nursing, then
10 the Respondent must further comply with the following additional terms and conditions of
11 probation.

12 **A. Participate in Treatment/Rehabilitation Program for Chemical**
13 **Dependence** - Respondent, at her expense, shall successfully complete during the probationary
14 period or shall have successfully completed prior to commencement of probation a Board-
15 approved treatment/rehabilitation program of at least six months duration. As required, reports
16 shall be submitted by the program on forms provided by the Board. If Respondent has not
17 completed a Board-approved treatment/rehabilitation program prior to commencement of
18 probation, Respondent, within 45 days from the effective date of the decision, shall be enrolled in
19 a program. If a program is not successfully completed within the first nine months of probation,
20 the Board shall consider Respondent in violation of probation.

21 Based on Board recommendation, each week Respondent shall be required to
22 attend at least one, but no more than five 12-step recovery meetings or equivalent (e.g., Narcotics
23 Anonymous, Alcoholics Anonymous, etc.) and a nurse support group as approved and directed by
24 the Board. If a nurse support group is not available, an additional 12-step meeting or equivalent
25 shall be added. Respondent shall submit dated and signed documentation confirming such
26 attendance to the Board during the entire period of probation. Respondent shall continue with the
27 recovery plan recommended by the treatment/rehabilitation program or a licensed mental health
28 examiner and/or other ongoing recovery groups.

1 **B. Abstain from Use of Psychotropic (Mood-Altering) Drugs** - Respondent
2 shall completely abstain from the possession, injection or consumption by any route of all
3 psychotropic (mood altering) drugs, including alcohol, except when the same are ordered by a
4 health care professional legally authorized to do so as part of documented medical treatment.
5 Respondent shall have sent to the Board, in writing and within fourteen (14) days, by the
6 prescribing health professional, a report identifying the medication, dosage, the date the
7 medication was prescribed, the Respondent's prognosis, the date the medication will no longer be
8 required, and the effect on the recovery plan, if appropriate.

9 Respondent shall identify for the Board a single physician, nurse practitioner or
10 physician assistant who shall be aware of Respondent's history of substance abuse and will
11 coordinate and monitor any prescriptions for Respondent for dangerous drugs, controlled
12 substances or mood-altering drugs. The coordinating physician, nurse practitioner, or physician
13 assistant shall report to the Board on a quarterly basis Respondent's compliance with this
14 condition. If any substances considered addictive have been prescribed, the report shall identify a
15 program for the time limited use of any such substances.

16 The Board may require the single coordinating physician, nurse practitioner, or
17 physician assistant to be a specialist in addictive medicine, or to consult with a specialist in
18 addictive medicine.

19 **C. Submit to Tests and Samples** - Respondent, at her expense, shall participate
20 in a random, biological fluid testing or a drug screening program which the Board approves. The
21 length of time and frequency will be subject to approval by the Board. Respondent is responsible
22 for keeping the Board informed of Respondent's current telephone number at all times.
23 Respondent shall also ensure that messages may be left at the telephone number when she is not
24 available and ensure that reports are submitted directly by the testing agency to the Board, as
25 directed. Any confirmed positive finding shall be reported immediately to the Board by the
26 program and Respondent shall be considered in violation of probation.

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1 In addition, Respondent, at any time during the period of probation, shall fully cooperate
2 with the Board or any of its representatives, and shall, when requested, submit to such tests and
3 samples as the Board or its representatives may require for the detection of alcohol, narcotics,
4 hypnotics, dangerous drugs, or other controlled substances.

5 If Respondent has a positive drug screen for any substance not legally authorized and not
6 reported to the coordinating physician, nurse practitioner, or physician assistant, and the Board
7 files a petition to revoke probation or an accusation, the Board may suspend Respondent from
8 practice pending the final decision on the petition to revoke probation or the accusation. This
9 period of suspension will not apply to the reduction of this probationary time period.

10 If Respondent fails to participate in a random, biological fluid testing or drug screening
11 program within the specified time frame, Respondent shall immediately cease practice and shall
12 not resume practice until notified by the Board. After taking into account documented evidence
13 of mitigation, if the Board files a petition to revoke probation or an accusation, the Board may
14 suspend Respondent from practice pending the final decision on the petition to revoke probation
15 or the accusation. This period of suspension will not apply to the reduction of this probationary
16 time period.

17 **D. Therapy or Counseling Program** – Respondent, at her expense, shall
18 participate in an on-going counseling program until such time as the Board releases her from this
19 requirement and only upon the recommendation of the counselor. Written progress reports from
20 the counselor will be required at various intervals.

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1 ACCEPTANCE

2 I have carefully read the Stipulated Settlement and Disciplinary Order. I understand the
3 stipulation and the effect it will have on my Registered Nurse License. I enter into this Stipulated
4 Settlement and Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be
5 bound by the Decision and Order of the Board of Registered Nursing:

6
7 DATED: 4/20/2011

Patricia Ann Williams
PATRICIA ANN WILLIAMS, AKA PATRICIA
ROSS WILLIAMS, AKA PATRICIA ANN ROSS
Respondent

10 ENDORSEMENT

11 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
12 submitted for consideration by the Board of Registered Nursing of the Department of Consumer
13 Affairs.

14
15 Dated: 4/26/2011

Respectfully submitted,

KAMALA D. HARRIS
Attorney General of California
GLORIA A. BARRIOS
Supervising Deputy Attorney General

Linda L. Sun
LINDA L. SUN
Deputy Attorney General
Attorneys for Complainant

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24 LA2011600169
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Exhibit A

Accusation No. 2011-777

1 KAMALA D. HARRIS
Attorney General of California
2 GLORIA A. BARRIOS
Supervising Deputy Attorney General
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Attorneys for Complainant

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12 **PATRICIA ROSS WILLIAMS, AKA**
13 **PATRICIA ANN ROSS**
6633 Blanchard Avenue
14 Fontana, CA 92336
Registered Nurse License No. 217001

A C C U S A T I O N

15 Respondent.

16
17 Complainant alleges:

18 **PARTIES**

19 1. Louise R. Bailey, M.Ed., RN (Complainant) brings this Accusation solely in her
20 official capacity as the Executive Officer of the Board of Registered Nursing (Board),
21 Department of Consumer Affairs.

22 2. On or about July 31, 1971, the Board issued Registered Nurse License Number
23 217001 to Patricia Ann Williams, aka Patricia Ross Williams, aka Patricia Ann Ross
24 (Respondent). The Registered Nurse License was in full force and effect at all times relevant to
25 the charges brought herein and will expire on September 30, 2012, unless renewed.

26 **JURISDICTION**

27 3. This Accusation is brought before the Board under the authority of the following
28 laws. All section references are to the Business and Professions Code unless otherwise indicated.

STATUTORY PROVISIONS

4. Section 2750 of the Code provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

5. Section 2764 of the Code provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under section 2811(b) of the Code, the Board may renew an expired license at any time within eight years after the expiration.

6. Section 2761 of the Code states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

....

"(f) Conviction of a felony or of any offense substantially related to the qualifications, functions, and duties of a registered nurse, in which event the record of the conviction shall be conclusive evidence thereof."

7. Section 2762 of the Code states:

"In addition to other acts constituting unprofessional conduct within the meaning of this chapter [the Nursing Practice Act], it is unprofessional conduct for a person licensed under this chapter to do any of the following:

....

"(c) Be convicted of a criminal offense involving the prescription, consumption, or self-administration of any of the substances described in subdivisions (a) and (b) of this section, or the possession of, or falsification of a record pertaining to, the substances described in subdivision (a) of this section, in which event the record of the conviction is conclusive evidence thereof."

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8. Section 490 of the Code provides, in pertinent part, that a board may suspend or revoke a license on the ground that the licensee has been convicted of a crime substantially related to the qualifications, functions, or duties of the business or profession for which the license was issued.

9. California Code of Regulations, title 16, section 1444, states:

“A conviction or act shall be considered to be substantially related to the qualifications, functions or duties of a registered nurse if to a substantial degree it evidences the present or potential unfitness of a registered nurse to practice in a manner consistent with the public health, safety, or welfare. Such convictions or acts shall include but not be limited to the following:

“(a) Assaultive or abusive conduct including, but not limited to, those violations listed in subdivision (d) of Penal Code Section 11160.

“(b) Failure to comply with any mandatory reporting requirements.

"(c) Theft, dishonesty, fraud, or deceit.

“(d) Any conviction or act subject to an order of registration pursuant to Section 290 of the Penal Code.”

COST RECOVERY PROVISION

10. Section 125.3 of the Code provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FIRST CAUSE FOR DISCIPLINE

(Substantially-Related Conviction)

11. Respondent is subject to disciplinary action under Code sections 2761, subdivision (f), and 490, in conjunction with California Code of Regulations, title 16, section 1444, in that Respondent was convicted of a crime substantially related to the qualifications, functions, and duties of a registered nurse. The circumstances are as follows:

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1 12. On or about October 28, 2008, pursuant to a plea of guilty, Respondent was convicted
2 of one misdemeanor count of violating Vehicle Code section 23152, subdivision (b) [driving
3 under the influence of alcohol BAC >.20%] in the criminal proceeding entitled *The People of the*
4 *State of California v. Patricia Ross Williams, aka Patricia Ann Williams, aka Patricia Ann Ross*
5 (Super. Ct. Orange County, 2008, No. 08NM08272). The circumstances surrounding the
6 conviction are that on or about May 31, 2008, Respondent was observed to be driving with her
7 headlights off at night. During the traffic stop, Respondent admitted to the police officer that she
8 had a mixed drink and two glasses of wine prior to driving. Respondent had a blood alcohol
9 concentration of 0.20% and more by weight.

10 **SECOND CAUSE FOR DISCIPLINE**

11 **(Conviction Involving the Consumption of Alcohol/Drugs)**

12 13. Respondent is subject to disciplinary action under Code section 2762, subdivision (c),
13 in that on or about October 28, 2008, Respondent was convicted of a crime involving the
14 consumption of alcoholic beverages. Complainant refers to, and by this reference incorporates,
15 the allegations set forth above in paragraphs 11 - 12, as though set forth fully.

16 **THIRD CAUSE FOR DISCIPLINE**

17 **(Dangerous Use of Alcohol)**

18 14. Respondent is subject to disciplinary action under Code section 2762, subdivision (b),
19 in that Respondent used alcoholic beverages to an extent or in a manner dangerous or injurious to
20 herself, any other person, or the public, or to the extent that her use impaired her ability to
21 conduct with safety to the public. Complainant refers to, and by this reference incorporates, the
22 allegations set forth above in paragraphs 11 - 12, as though set forth fully.

23 **PRAYER**

24 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
25 and that following the hearing, the Board of Registered Nursing issue a decision:

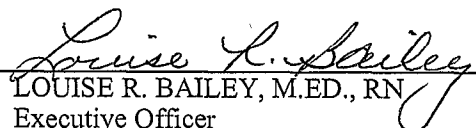
26 1. Revoking or suspending Registered Nurse License Number 217001, issued to Patricia
27 Ann Williams, aka Patricia Ross Williams, aka Patricia Ann Ross;

28 ///

1 2. Ordering Patricia Ann Williams, aka Patricia Ross Williams, aka Patricia Ann Ross to
2 pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of
3 this case, pursuant to Business and Professions Code section 125.3;

4 3. Taking such other and further action as deemed necessary and proper.

5 DATED: 3/16/11



LOUISE R. BAILEY, M.ED., RN
Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

25 LA2011600169